

REMARKS

In response to the Office Action mailed December 29, 2009, the Application has been carefully reviewed. Reconsideration of the Application is respectfully requested. Claims 1-4 are pending in the Application. By this paper, Claims 1, 3, and 4 have been amended to more particularly claim Applicant's invention. The foregoing amendments and following remarks are believed to be fully responsive to the outstanding Office Action, and are believed to place the Application in condition for allowance.

Claim Rejections – 35 U.S.C. § 103

Claims 1 and 4 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Benedict et al. (US Patent No. 5,488,458, hereinafter "Benedict"). The Benedict reference is directed to a duplex printing integrity system. The Examiner concedes that the Benedict reference does not disclose the sheet being flipped over and the same sensor for detecting the marks on the first side of the sheet being used to scan the marks on the second side of the sheet. He contends that it would have been an obvious matter of design choice to combine the sensors into one to scan both sides. This contention is respectfully traversed. The single mark detecting sensor for detecting marks on the first side of a sheet and, with the shift of the sheet in a direction transverse to the transport direction, the marks on a second printing side of the sheet can be detected by such sensor, is the important aspect of Applicant's invention. Such arrangement readily enables a marked simplification in the sensor array since only one sensor is required. Clearly, a single sensor for detecting marks on both sides of a sheet is not shown or, in any way taught, by the prior art. Therefore, it is respectfully submitted that Applicant's invention as recited in independent Claims 1 and 4 would not be obvious to one of ordinary skill in the art, and such claims should now be allowed.

Claim 2 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Benedict et al. (US Patent No. 5,488,458, hereinafter "Benedict") in view of Hubble, III et al. (US Patent No. 5,339,150, hereinafter "Hubble"); and Claim 3 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Benedict et al. (US Patent No. 5,488,458, hereinafter "Benedict") and Hubble, III et al. (US Patent No. 5,339,150, hereinafter "Hubble").

“Hubble”) in view of Metzler (US Patent Application Publication No. US 2003/0029341 A1). Claims 2 and 3 are dependent upon independent Claim 1, directly or indirectly, and as such contain all the limitations thereof. The Hubble and Metzler references have been cited to show mark detection and printing calibration. In no way can they be interpreted, individually or in any proper combination, as teaching the single mark detecting sensor of Applicant’s claimed invention, noted above as missing from the primary Benedict reference. Therefore, Claims 2 and 3 would similarly not be obvious to one of ordinary skill in the art, and should now also be allowed.

CONCLUSION

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. §1.99.

It is respectfully submitted that, in view of the above amendments and remarks, this Application is now in condition for allowance, prompt notice of which is earnestly solicited.

The Examiner is invited to call the undersigned in the event that a phone interview will expedite prosecution of this Application towards allowance.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company, Deposit Account No. 05-0225.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.